

## UNITED STATES DISTRICT COURT

for the

Northern District of California

**FILED**

Jul 11 2024

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLANDUnited States of America  
v.

Ronald Lafaye

Case No. 4:24-mj-71049-MAG

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 12, 2022 / April 24, 2023 in the county of San Mateo / Alameda in the  
Northern District of California, the defendant(s) violated:*Code Section*

18 U.S.C. § 876(c)

*Offense Description*

Mailing Threatening Communications

Maximum Penalties:

Imprisonment: 5 years

Fine: \$250,000

Supervised Release: 1 year

Special Assessment: \$100

This criminal complaint is based on these facts:

See attached Affidavit of FBI, Special Agent John Furey

☒ Continued on the attached sheet.Approved as to form /s/  
AUSA Evan Mateer/s/ John Furey*Complainant's signature*John Furey, FBI Special Agent*Printed name and title*

Sworn to before me and signed in my presence.

Date: July 11, 2024*Judge's signature*City and state: Oakland, CAHon. Donna M. Ryu, Chief Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR AN  
ARREST WARRANT AND CRIMINAL COMPLAINT**

I, John Furey, a Special Agent of the Federal Bureau of Investigation (“FBI”), being duly sworn, state:

**INTRODUCTION**

1. I make this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for an arrest warrant and criminal complaint charging Ronald LAFAYE with Mailing Threatening Communications in violation of Title 18, United States Code Section 876(c) on December 12, 2022 and April 24, 2023, in the Northern District of California.

**SOURCES OF INFORMATION**

2. The facts in this affidavit come from my personal observations, my training and experience, information from records and databases, and information obtained from other agents, officers, and witnesses. Where statements made by other individuals (including other Special Agents and law enforcement officers) are referenced in this Affidavit, such statements are described in sum and substance and in relevant part. Similarly, where information contained in reports and other documents or records is referenced in this Affidavit, such information is also described in sum and substance and in relevant part.

3. Because this Affidavit is submitted for the limited purpose of establishing probable cause for a criminal complaint and arrest warrant, I have not included each and every fact known to me about this case. Rather, I have set forth only the facts that I believe are necessary to support probable cause for a criminal complaint and arrest warrant. My understanding of the facts and circumstances of the case may evolve as the investigation continues.

**AFFIANT BACKGROUND**

4. I am a Special Agent with the FBI and have been since October 2023. I am currently assigned to the Safe Streets Task Force in FBI’s San Francisco Field Division. Prior to

becoming an FBI Special Agent, I served 20 years in the United States Navy. My current assignments include investigating individuals who are involved in the illegal possession and transfer of firearms, violent crimes involving firearms, and narcotics trafficking. I completed five months of FBI Special Agent Basic Training at the FBI academy in Quantico, Virginia. During the course of my employment with the FBI, I have investigated, and assisted in the investigation of criminal violations, especially those relating to violent crime, firearms, and/or narcotics. During these investigations, I have participated in and utilized various investigative tools, including: conducting physical surveillance, interviewing suspects, executing arrest and search warrants, analyzing phone records, and collecting and processing physical and electronic evidence

5. As an FBI agent, I am authorized to investigate violations of United States law and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States. I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). I am empowered by law to conduct investigations, to execute search warrants, and to make arrests for offenses of Federal law, including offenses enumerated in 18 U.S.C. § 876.

#### **APPLICABLE STATUTE**

6. Title 18, United States Code Section 876(c) makes it a crime that “[w]hoever knowingly so deposits or causes to be delivered as aforesaid, any communication with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another.

#### **STATEMENT OF PROBABLE CAUSE**

7. Robert LAFAYE is currently an inmate with the Bureau of Prisons, serving out a 28-month sentence of imprisonment for Transmitting Communications Containing Threats to Kidnap/Injure; Influencing Federal Official; and Assault on Federal Officer. The conduct underlying LAFAYE’s current sentence involved threats against employees of the United States Department of Veteran’s Affairs (VA). Since his incarceration, LAFAYE has persisted in

making violent threats against the VA, repeatedly promising in mailed communications that when he is released from prison, he will go to the VA facility in Ft. Miley and “kill every last person in the building.” In his threats, LAFAYE has even included a countdown—“two more years;” “one year to go”—until he is released. He has promised that “[a]s soon as I get released, I am going on the run. You will see me on CNN, and you will remember me. All those motherfuckers at the VA (Veteran Affairs) are going to die. That is the God honest truth.” LAFAYE is scheduled to be released from prison on July 12, 2024.

***In 2018, LAFAYE made violent threats against the VA, resulting in his current sentence.***

8. Ronald Joseph LAFAYE is a veteran who served in the United States Navy in the early 1980’s. He began receiving treatment and health services at the San Francisco and Palo Alto, California, VA facilities around 2013. During his treatment, he repeatedly had behavioral issues at the VA, including at least nine instances when he threatened VA employees and made racist remarks. As a result, the VA gave LAFAYE a “behavioral flag” which required him to notify the VA police when he was present at a VA facility.

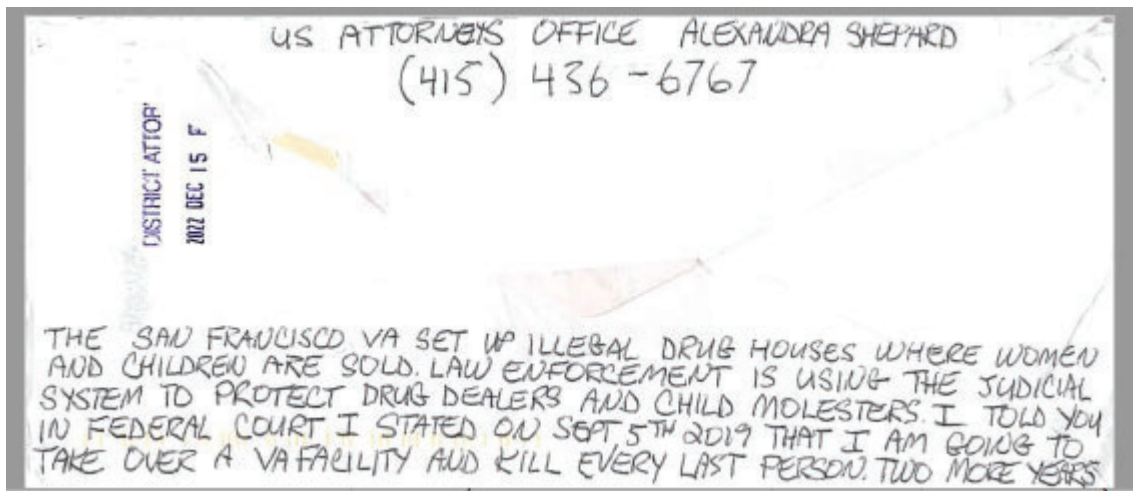
9. Over a period of two weeks in March of 2018, LAFAYE made hundreds of racially and antisemitic charged phone calls to the VA in San Francisco, Palo Alto, and Menlo Park. He left multiple obscene, racist, and threatening voicemails for VA employees with whom he had interacted. On the recorded calls, LAFAYE spoke about alleged injustices he suffered at the VA, criticized the way the VA was run, and threatened to assault, rape, and/or kill the VA employees.

10. On the morning of September 5, 2019, VA-OIG agents and police went to San Quentin to arrest LAFAYE and bring him to the federal courthouse for arraignment on the original indictment in the 2018 case. From the moment he was picked up at San Quentin, until he was delivered to the U.S. Marshals in San Francisco, LAFAYE repeatedly threatened to assault and kill the three VA officials and other VA officials, and also threatened to conduct a mass shooting at a VA facility. LAFAYE was charged, convicted, and sentenced to 28 months in

prison with a 3-year term of supervised release. He is currently an inmate at Federal Correctional Institution, Safford (FCI Safford) in Safford, Arizona.

***On December 12, 2022, LAFAYE mailed a threatening letter to the San Mateo District Attorney's Office***

11. On December 15, 2022, the San Mateo County District Attorney received a threatening, handwritten 9-page letter from LAFAYE. The letter was postmarked December 12, 2022, and listed LAFAYE in the return address. LAFAYE spent most of the 9 pages using racist language for people of color. On the back of the envelope, LAFAYE included an explicit threat against the VA: "The San Francisco VA set up illegal drug houses where women and children are sold. Law enforcement is using the judicial system to protect drug dealers and child molesters. I told you in federal court I stated on September 5, 2019 that I am going to take over a VA facility and kill every last person. Two more years." The back of the envelope also included the name and phone number of an Assistant United States Attorney who previously had prosecuted LAFAYE.



12. The content of LAFAYE's letter contains more threatening content. In particular, on page 8, LAFAYE says that "I pled guilty in Federal Court to informing dirty VA Police Officers Nick Sanzone and nigger Orville Crumpton on Sept 5th 2019 that I am going to join and lead white supremacy and take over a VA facility and kill every last person in the

building. I told them not one nigger will live. I told them the entire country will know my name. Two more years.”

***On April 24, 2023, LAFAYE mailed two additional threatening letters***

13. On April 24, 2023, LAFAYE had as outgoing mail (2) envelopes with his mailing address at FCI Safford to "2 KGO, Finney On Your Side, 900 Front Street, San Francisco, Ca. 94111" and "KTVU 2 Gasia Mikaelia, 2 Jack London Square, Oakland, Ca. 94612". The letters were intercepted by Bureau of Prison (BOP) and removed from the mail before they could be delivered. LAFAYE writes on the backside of each envelope, "THE SAN FRANCISCO VA HAS SET UP ILLEGAL DRUG HOUSES WHERE WOMEN AND CHILDREN ARE SOLD. I PLED GUILTY TO STATING ON SEPT. 5TH 2019 THAT I AM GOING UP TO FT. MILEY AND I AM GOING TO KILL EVERY LAST PERSON IN THE BUILDING. ONE MORE YEAR TO GO."

14. In the letters, LAFAYE makes allegations that the San Francisco VA health care system set up a drug and prostitution ring. LAFAYE lists people that are “responsible” for this. What appears to be VA employees, Dr. Christopher Galloway, Dennis Moore, and Nick Madison. Additionally, Nick Colla (SF Attorney) and Shawna Freeman (SF Housing Authority) were also named. LAFAYE goes on to detail shootings that occurred in the area between 2013 and 2015.

***On July 26, 2023, LAFAYE reiterated his threats in violent remarks to a BOP officer***

15. On July 26, 2023, during an interview with BOP Special Investigator Supervisor (SIS) LT Jose Medrano, LAFAYE referenced the pervious threats he had made which had resulted in his current sentence. LAFAYE re-affirmed that threat and indicated that when he is released from federal prison, he is going to the Veterans Affairs Office in Fort Miley, San Francisco, and killing everyone with an assault rifle. Specifically, LAFAYE stated, “I am not making new threats, this is the same threat I am locked up for. When I get out, I am going to join a white supremacist group, go to Ft. Miley and shoot and kill all of them motherfuckers. I am going to collect badges, all of them niggers are going to die. All niggers and you wetback

Mexicans are filthy. Let me put it this way, if I had a gun right now, I would shoot you, that is the God honest truth. All you don't believe me. As soon as I get released, I am going on the run. You will see me on CNN, and you will remember me. All those motherfuckers at the VA (Veteran Affairs) are going to die. That is the God honest truth."

16. LAFAYE continued, "I don't care, I want to die in a gun fight, I am not coming back, I am not going to come back in handcuffs, I am going down in a gun fight, you all will see, and you all will remember me. There is not a thing you can say to me that will change my mind. Put me out on the compound, take these handcuffs off right now. I will show you these are not just threats, I speak the truth, I am stand-up guy and I speak the truth I don't care. I will set this shit off."

***On September 19, 2023, LAFAYE mailed four additional threatening letters***

17. On September 19, 2023, LAFAYE submitted four letters to be mailed which were reviewed by BOP, SIS. The outgoing letters were intended for the U.S. Marshals service in San Francisco, CA, the U.S. Marshals service in Los Angeles, CA, the U.S. Attorney's Office in San Francisco, CA, and the U.S. Attorney's Office in Los Angeles, CA. The envelopes and letters contained hand drawn maps of the Bay View District in San Francisco, LAFAYE's prosecuting AUSA's name and phone number, and other government personnel names. On the outside of all four envelopes, LAFAYE had written the following:

18. "Within ten minutes of my release I could kill the duty driver steal his vehicle come back kill the retarded perimeter guard take his gun-ammunition-radio that is how easy it is. Maybe that is how the wetback from Brazil escaped. One more year to go. Ta. Ta."

***Request for Sealing***

19. The materials now before the Court—particularly, this Affidavit and the accompanying application for an arrest warrant—reveal sensitive details of an ongoing criminal investigation. Accordingly, in order to protect the integrity of that investigation, to guard against the flight of the defendant and destruction of evidence, and to better ensure the safety of agents and the public, I request that these materials—together with any arrest warrant that issues

thereon—be sealed until further order of the Court, except that I request the Clerk of Court provide copies of the sealed documents to employees of the United States Attorney’s Office and the FBI, and allow the sharing of these documents as necessary with other law enforcement and intelligence agencies, including for use in investigation, the execution of any related warrants, and prosecution.

**CONCLUSION**

20. Based upon the aforementioned information, I submit that there is probable cause to believe that on December 12, 2022 and April 24, 2023, in the Northern District of California, Ronald LAFAYE, violated Title 18, United States Code, Section 876(c), Mailing Threatening Communications.

I declare under penalty to perjury that the statements above are true and correct to the best of my knowledge and belief.

John Furey  
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JOHN FUREY  
Special Agent  
Federal Bureau of Investigation

Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P. 4.1 and 4(d) on this 11th day of July 2024. This application and warrant are to be filed under seal.

  
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HONORABLE DONNA M. RYU  
Chief United States Magistrate Judge